

Burlington Planning Commission

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*A Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur
Vacant
vacant, Youth Member*



Burlington Planning Commission Meeting Minutes Tuesday, August 23, 2016 - 6:30-8:30 P.M. Conference Room 12, City Hall

Present: B Baker, Y Bradley, A Friend, E Lee, A Montroll, J Wallace-Brodeur, H Roen

Absent:

Staff: M Tuttle, D White

I. Agenda

A Montroll: Welcome to A Friend, new Commissioner. Have a seat on Ordinance Committee waiting for you.

No changes

II. Public Forum

C Reid, Cathedral Square Corporation: Desperately need more affordable and senior housing. Time is of essence, need the housing, encourage Commission's support of Cambrian Rise.

III. Report of the Chair

A Montroll: Won't be major changes in Commission's direction moving in. Still have big projects ahead. FBC has been set aside during mall work, will need to pick up. May need to incorporate some elements from BTC discussions into FBC draft. Keep 8pm as our goal end time for meetings, but be flexible if in the middle of a discussion; keep 8:30pm as drop-dead end time.

IV. Report of the Director

D White: Department in the middle of every major project in the Cit. Executive Committee will discuss upcoming schedule tomorrow. BTC has demanded a lot of time this summer, will continue to do so in fall.

V. Proposed ZA-17-01: Off-Site Parking

D White: Reports required by statute to accompany warning for zoning amendment public hearing. Consider any comments by Commissioners.

H Roen: Change typo in spelling of "policies."

A Friend: What does the parking waivers for mixed-use districts refer to?

D White: City is split into parking districts for neighborhood, shared parking, and downtown.

The Commission unanimously approved a motion by Y Bradley, seconded by J Wallace-Brodeur, to approve the report, with H Roen's correction, and warn the amendment for public hearing.

VI. Proposed ZA-17-02: Family Daycare Exemptions & Preschools

D White: This report has the same typo as ZA-17-01; will correct.

Tuesday, August 23, 2016

The Commission unanimously approved a motion by Y Bradley, seconded by H Roen, to approve the report, with correction, and warn the amendment for public hearing.

VII. Proposed ZA-17-03: Withhold Permit

D White: This report has the same typo as ZA-17-01; will correct.

J Wallace-Brodeur: This amendment starts with permitting process, zoning to test this? Maybe extend further in the future?

D White: Need to work with City Attorney's Office regarding any other legal uses of this "clean hands" amendment.

The Commission unanimously approved a motion by B Baker, seconded by Y Bradley, to approve the report and warn the amendment for public hearing.

VIII. Proposed CDO Amendment: Neighborhood Activity Center-Cambrian Rise

Y Bradley: Recuse due to position as Board Chair for Burlington College.

D White: Few years ago, public planning process undertaken, led by BPRW with Burlington College and Eric Farrell, to look at a conceptual land plan for how this site could be developed, preserved and reused. Site is about 33 acres, three parcels, including land between cemetery, lake, rail tunnel and North Avenue; includes Texaco Beach. Process said we want to protect the beach and existing trail from North Ave to Bike Path, preserve orphanage, and build housing on the site, especially affordable. Several slope ridges bisect the site, which is currently zoned WR-M; surrounded by RCO-RG, Urban Reserve, and R-L. The WR-M allows buildings above 35' on portion of property closest to lake. Questions from process: does it make sense to put those buildings closest to the lake, and for the area to be exclusively residential? North and south of site are significant areas of public outdoor space; the property is the missing link. Protecting the lakeshore is highest priority use for R-CO district and the Conservation Fund. Planning process led to preservation of 12 acres of the property as becoming publicly-owned open space, and concentrating mixed-use development closer to orphanage and North Avenue. Brought City to Development Agreement with Eric Farrell, VT Land Trust, CHT and Cathedral to affect this plan, including a zoning amendment. Proposed amendment does two major things: creates the district and permits neighborhood-oriented, non-residential uses; and enables the taller buildings, which are already permitted, closer to North Ave rather than out in the open space. Does not allow greater lot coverage, taller buildings, or greater density than currently permitted for the site under W-RM, or reduce the IZ requirements. Subject to 25% inclusionary requirement due to number of units.

H Roen: Where is language that allows buildings closer to the Avenue?

D White: It is implied by defining area where development can take place in the new district. Replaces old zoning that only allows taller buildings down the hill.

D White: Describes each section of the ordinance. Establishes new district, NAC-Cambrian Rise. Adds language in the discussion of Neighborhood Mixed Use Districts to highlight the more residential nature of NAC-CR. Adds a purpose statement for the district. Modifies Table 4.4.2-1 to include dimensional requirements for the new NAC-CR. Includes a change to raise minimum height in all NAC's from 20' to 22' and clarifies 2 stories. 72% lot coverage for NAC-CR is same as permitted lot coverage per Inclusionary Zoning ordinance.

A Montroll: Is 80' the maximum building height in W-RM?

E Farrell: Height set for buildings that are 60' on highest part of slope, but taller in backs to accommodate parking under buildings on the slopes. Significant grade change allows 2/3 of the parking to be under buildings; provides flexibility to allow this to happen.

D White: This does raise the height, but not when viewed from North Avenue.

Tuesday, August 23, 2016

E Farrell: Current zoning does not allow buildings any taller than the mid-point of roof on Orphanage. This provision sets a max height and accounts for variation on buildings that run perpendicular to slopes on site.

D White: Setbacks only applicable to perimeter of the district, not to individual parcels within it similar to PUD. Setbacks on North Avenue more generous, reflecting setback of the Orphanage. Allows maximum height and density without utilizing bonuses. Permits residential uses on the ground floor within the NAC-CR district, due to more residential character of the district. There is a list of map changes that will need to be incorporated to create this district. Last two elements link to Article 8, so that it falls within a shared use parking district, and to Article 9, to be included in chart of districts that require 25% inclusionary units.

E Farrell: Timing critical; CHT and Cathedral Square have secured development financing, which could be at risk if not moved expeditiously. Not looking for any exceptions to DAB/DRB process; have been through sketch plan, but can't file an application until Council warns this amendment. Current zoning would allow 840 units, but development agreement has limited to 770.

M Monte: The plans for waterfront access north created by the community 15 years ago is essentially what this zoning amendment allows. Worked with partners to see what could actually work. This changes the site's potential from a private waterfront development such as Appletree Point, to one that allows taller buildings closer to Avenue and preservation of land closer to lake—provides many community benefits. Partners have already assembled the financing, could start in the spring with the inclusionary and senior housing units. Will be most mixed-income neighborhood in the City, with combination of rentals and home-ownership.

J Wallace-Brodeur: Excited and conceptually supportive. 12 acres of open space is a huge benefit for the City. Question about how project orients toward and integrates with North Avenue? Is street activation oriented toward the Avenue or the interior streets?

D White: North Avenue is its front door, but does have it's own internal street network. Buildings within the site are oriented toward its internal streets.

J Wallace-Brodeur: Need it to be less of an island, North Ave is a significant arterial that should be activated, bring people in, and not have its back to North Avenue. Opportunity to be more specific in dimensional standards about relationship to North Avenue?

A Montroll: Underlying goals for zoning in neighborhoods is to match what is there and not detract from it. There isn't really a neighborhood on this site, so we have an opportunity to do something different. JWB point is a good one, though; buildings need to front on the Avenue rather than back onto.

E Farrell: Hope to attract neighborhood-supporting commercial uses and have a fully accessible bike connection down to the bike path to activate and enliven this section of the Avenue.

D White: Best place to articulate JWB point is in the purpose statement regarding orientation toward North Avenue.

B Baker: Buildings on North Avenue should be oriented toward North Avenue; separate issue is that there should also be features that invite people into the site.

C Reid: Architect has worked really hard to make the Cathedral Square building activate all sides of the building, including North Avenue.

A Friend: Has traffic flow been discussed and is this the right venue?

D White: Project application will include a traffic analysis, which the DRB will review.

H Roen: Mixed feelings. No problem with buildings closer to North Ave, but development permitted to extend further down the property than would like to see. It is the kind of project envisioned when the Conservation Fund was created, but don't feel like City got our bang for the buck.

Tuesday, August 23, 2016

A Montroll: In terms of the zoning amendment, anything H Roen would like to change, or just don't like the project?

H Roen: Problem is that the zoning change is allowing this project to go forward.

E Lee: What would you liked to have seen achieved?

H Roen: More open space and less development. Personal objections go way back; prefer this property never having been sold for development in the first place.

E Farrell: Current zoning allows lot coverage of 72%, developed area is at 58% coverage, whole site is in the 30% range. Not an overly developed area.

O Makuku: Biggest change is allowing commercial uses, everything else is the same but shifted on site. Municipal Development plan identifies this area as a future Neighborhood Activity Center.

B Baker: Development is about tradeoffs. What the city gets is 12 acres of preserved land, Texaco Beach being connected, and 170 units of affordable housing. Nothing is ever perfect, but what we're getting is great benefit.

A Montroll: Concentrating development and allowing for mixed-use is a tradeoff and has been part of our long-term vision. Understand where the 80' came from, but don't think it will achieve intent as written; current writing could allow buildings 80' at North Avenue, 100' buildings on the back. Need to clarify where it is measured from.

M Monte: Sounds like the desired is 60' measured from street frontages.

D White: Can currently build to the height of the tallest structure on the lot, which is the Orphanage today.

A Montroll: Need to require building heights tapering down the slope, rather than having a constant roofline. Beyond these things, a great zoning change.

D White: Provision that encourages the buildings to step down the slope. Key is what is the experience of the height along the street, not in the backs of the buildings.

A Montroll: Refine the draft and bring to next meeting.

D White: Will prepare a next draft and statutory report for the September 13 meeting.

Y Bradley: Have pushed these folks off all summer long, would humbly suggest that the Commission hold a special meeting to move this forward.

E Lee: Could we just have the draft statutory report when we originally see an amendment? We could have a special meeting to warn the hearing. Understand how onerous the summer has been, but willing to meet to move this ahead.

J Wallace-Brodeur: Should have a special meeting to warn a public hearing, but have the public hearing at a regularly scheduled meeting.

The commission unanimously approved a motion by E Lee, seconded by J Wallace-Brodeur, to hold a special meeting at 4pm on August 25, 2016 to approve the report and warn the amendment for public hearing at the September 13 regular meeting.

IX. Minutes & Communications

The Commission unanimously approved a motion by J Wallace-Brodeur, seconded by H Roen, to approve the minutes of the August 9, 2016 meeting as written.

Tuesday, August 23, 2016

X. Adjourn

The Commission unanimously approved a motion by E Lee, seconded by A Friend, to adjourn the meeting at 8:03pm.



A Montroll, Chair

Signed: September 28, 2016



Elsie Tillotson, Recording Secretary